

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the) NOTICE OF AMENDMENT
amendment of ARM 10.51.102)
relating to board membership)

TO: All Concerned Persons

1. On April 8, 2004, the Board of Public Education published MAR Notice No. 10-51-232 regarding the proposed amendment of a rule concerning board membership at page 695 of the 2004 Montana Administrative Register, Issue Number 7.

2. The Board of Public Education has amended ARM 10.51.102 with the following changes, stricken matter interlined, new matter underlined:

10.51.102 BOARD MEMBERSHIP (1) The board of public education consists of seven members appointed by the governor and confirmed by the senate. The governor, superintendent of public instruction and commissioner of higher education are ex officio non-voting members of the board. A student representative, selected by the Montana association of student councils, also sits as a non-voting member of the board for a term not more than two years. In order to assure geographical and political representation on the board of public education, the law provides that not more than four of the seven board members may be from one ~~congressional~~ commission district or affiliated with the same political party. Board members elect a chairman and vice-chairman annually.

3. The following comment was received and appears with the Board of Public Education's response:

COMMENT 1: The Secretary of State's office commented that Montana no longer had congressional districts. These have been changed to commission districts pursuant to 5-1-102, MCA.

RESPONSE: The Board of Public Education thanks the Secretary of State's office for their comment and has amended this rule accordingly.

/s/ Dr. Kirk Miller
Dr. Kirk Miller, Chair
Board of Public Education

/s/ Steve Meloy
Steve Meloy, Executive Secretary
Rule Reviewer

Certified to the Secretary of State July 26, 2004.